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EDWARD C. RUDOLPH
JUDGE
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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JIMMIE DAVIS,)
Petitioner,) Case No. CV-N-99-137-ECR(PHA)
vs.)
STATE OF NEVADA, et al.,) ORDER DENYING
Respondents.) IN FORMA PAUPERIS STATUS

Petitioner Jimmie Davis has submitted a Motion for Leave to Proceed *In Forma Pauperis* and a Petition for Writ of Habeas Corpus. Based on the information about Davis' financial status, the motion shall be denied. Davis will need to pay the full filing fee of \$5. However, Davis shall be given an opportunity to pay the fee in this action prior to dismissal.

IT IS THEREFORE ORDERED that the Motion for Leave to Proceed *In Forma Pauperis* is DENIED. Davis shall have thirty (30) days from the date this order is ENTERED in which to have the full \$5 filing fee sent to the Clerk. Failure to do so may result in the dismissal of this action.

IT IS FURTHER ORDERED that the Clerk shall send to Davis two copies of this order. Davis is ordered to make the necessary arrangements to have one copy of this order attached to the check in the amount of the full \$5 filing fee.

IT IS FURTHER ORDERED that the Clerk shall RETAIN the petition but not file it at this time.

Dated this 22 day of March, 1999.

Edward C. Rudolph
UNITED STATES DISTRICT JUDGE

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